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AUG 16 2004

PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>Application Number</b>	10/1020, 531
<b>Filing Date</b>	DECEMBER 14, 2001
<b>First Named Inventor</b>	Sukhendu B. DEV
<b>Art Unit</b>	1641
<b>Examiner Name</b>	LAM, Ann Y.
<b>Attorney Docket Number</b>	GTI-1180 - CON1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_  
ii.  Other \_\_\_\_\_

- b.  Enclosed

- i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/ Declaration(s)      iv.  Other \_\_\_\_\_

2. **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)  
b.  Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to

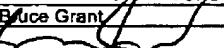
- a.  Deposit Account No. \_\_\_\_\_  
i.  RCE fee required under 37 CFR 1.17(e)  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)  
iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ \_\_\_\_\_ enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

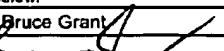
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Bruce Grant	Registration No. (Attorney/Agent)	47,608
Signature		Date	AUGUST 16, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Bruce Grant	Date	AUGUST 16, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AUG 16 2004

**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re the Application of:</b>	)	<b>Examiner:</b> Lam, Ann Y.
Sukhendu B. Dev, et al.	)	<b>Art Unit:</b> 1641
<b>Appln. No.:</b> 10/020,531	)	
<b>Filed:</b> 14 December 2001	)	
<b>For:</b> ELECTROPORATION-MEDIATED	)	
INTRAVASCULAR DELIVERY	)	

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**AMENDMENT AND RESPONSE UNDER 37 CFR 1.114**

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

This is filed concurrently with a Request for Continued Examination and is in response to an Advisory action dated June 10, 2004 and a final Office action dated February 24, 2004, setting a shortened statutory time for response expiring on May 24, 2004. This submission is timely filed before August 24, 2004 with a three-month extension of time Applicants hereby request and for which payment is enclosed. Careful consideration has been given to the grounds for rejection and the following remarks are offered in response. Reconsideration respectfully is requested.

08/18/2004 HGUTEMA1 00000092 10020531

02 FC:1253

950.00 DP

**CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 CFR 1.8**

I hereby certify that this paper (along with anything referred to as being attached) is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage via first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

  
 Bruce Grant

AUGUST 16, 2004  
 Date



PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete If Known

Application Number	10/1020,531
Filing Date	DECEMBER 14, 2001
First Named Inventor	SUKHENDU B. DEV
Examiner Name	LAM, Amy.
Art Unit	1641
Attorney Docket No.	GTI - 1180 - CON 1

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																							
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number Deposit Account Name				<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>Fee Code (\$)</td><td>Fee Code (\$)</td><td>Fee Code (\$)</td><td></td></tr> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053 130</td><td>1053 130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812 2,520</td><td>1812 2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252 420</td><td>2252 210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253 950</td><td>2253 475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254 1,480</td><td>2254 740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255 2,010</td><td>2255 1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401 330</td><td>2401 165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402 330</td><td>2402 165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403 290</td><td>2403 145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451 1,510</td><td>1451 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - 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**or number previously paid, if greater. For Reissues, see above																																																																																																																																											

SUBMITTED BY			
Name (Print/Type)	Bruce Grant	Registration No. (Attorney/Agent)	47,608
Signature	Telephone (858) 623-9476		
	Date AUGUST 16, 2004		

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SOLANA BEACH, CA 92075

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A PROFESSIONAL CORPORATION  
A CALIFORNIA CORPORATION  
TEL: 858-623-9470 FAX: 858-623-9476

# Fax

# OFFICIAL

**To:** Mail Stop RCE  
Commissioner for Patents  
c/o Examiner Ann Y. Lam  
Art Unit 1641

**From:** Bruce Grant  
Registration No. 47,608

**Fax:** (703) 872-9306

**Date:** August 16, 2004

**Phone:** (571) 272-0822

**Pages:** 14 (including cover page)

**Re:** Appln. No. 10/020,531

**CC:**

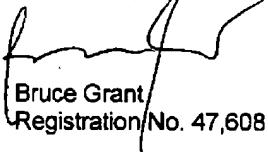
**Urgent**     **For Review**     **Please Comment**     **Please Reply**

**Comments:**

Please process this Request for Continued Examination (RCE). This filing includes the following papers:

1. RCE Transmittal with Certificate of Mailing or Transmission (1 page)
2. Fee Transmittal (1 page, 1 page duplicate)
3. PTO-2038 (1 page)
4. Amendment and Response Under 37 CFR 1.114 (9 pages).

Respectfully submitted,



Bruce Grant  
Registration No. 47,608

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OIP/E/JCWS

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